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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 7151 of 2007

PETITIONER Mohd. Basheer Khan,
S/o Late Tahir Khan,
Aged about 50 years,
R/o Behind Balram Talkies,
Nehru Nagar,
Bilaspur,
Bilaspur District
C.G. State

Versus

RESPONDENTS

1. Chief Executive Officer,
Chhattisgarh Village Road,
Development Authority,
Civil Lines,
Raipur,
C.G. State
2. Executive Engineer,
Pradhan Mantri Sadak Yojana,
Mahasamund,
Mahasamund District,
C.G. State.
3. Asstt. Accounts Officer,
Pradhan Mantri Sadak Yojana,
Mahasamund,
Mahasamund District,
C.G. State.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri K.R. Nair, Counsel for the petitioner.

Shri A.S. Kachhwaha, Govt. Advocate for the State/respondent No.2 on advance copy.

ORAL ORDER
(13.12.2007)

SUNIL KUMAR SINHA, J.

Heard.

Learned counsel for the petitioner submits that the petitioner is holding the post of Accounts Officer in Pradhan Mantri Sadak Yojna, Mahasamund and he was the authorized joint signatory of the cheques on behalf of the Institution. However, by order dated 18.10.2007, it has been directed by the concerned authority that now the Assistant Accounts Officer shall be the authorized signatory in place of the Accounts

Officer. He submits that the petitioner is aggrieved with the aforesaid action of the concerned authority.

I do not find any reason to interfere on this event only.

There may be many reasons with the authority to take such steps in administrative exigencies and the authority is fully authorized to undertake such administrative action. However, in all proprietary and rationality, administrative actions must be justified and it should not be vitiated by any malafide or arbitrariness.

Learned counsel for the petitioner could not point out any ground of malafide or arbitrariness in such action of the concerned authority, therefore, I am not inclined to admit this petition for hearing.

However, it is observed that this fact may be brought to the notice of the higher authority of the petitioner by filing a representation before him, who may look into the matter and take appropriate steps by examining the proprietary and justification of such steps taken by the concerned authority.

With the aforesaid observations, the petition stands finally disposed of at this stage.

Sd/-
Sunil Kumar Sinha
Judge

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